

ORDINANCE NO. 20081211-080

AN ORDINANCE AMENDING ORDINANCE NO. 910620-C, REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY COMMONLY KNOWN AS BLOCK 16 LOCATED AT 900 BLOCK OF EAST 11TH STREET IN THE EAST 11TH STREET NEIGHBORHOOD CONSERVATION COMBINING DISTRICT (NCCD) AND THE CENTRAL EAST AUSTIN NEIGHBORHOOD PLAN AREA TO MODIFY USE AND DEVELOPMENT REGULATIONS AND CREATE A NEW SUBDISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Ordinance No. 910620-C (the “Original NCCD Ordinance”) established the East 11th Street neighborhood conservation combining district (the “East 11th Street NCCD”) for the area generally from IH-35 eastward along the 11th street corridor to Angelina Street and an area along IH-35 from East 12th Street to 7th Street.

Ordinance No. 910620-C has been amended from time to time for certain properties within the NCCD.

PART 2. The Original NCCD Ordinance consisted of three subdistricts described in the ordinance and identified on Attachment 13 of the Original NCCD Ordinance.

PART 3. The zoning map established by Section 25-2-191 of the City Code is amended to create a new subdistrict out of Subdistricts 1 and 2, to be identified as Subdistrict 4, commonly known as Block 16, generally identified in the map attached as Exhibit “A” (*the Zoning Map*), and retaining Subdistricts 1, 2, and 3.

PART 4. This ordinance amends Ordinance No. 910620-C. The East 11th Street NCCD shall conform to the limitations and conditions set forth in the Original NCCD ordinance as amended by this ordinance.

PART 5. Except as provided in this ordinance, the property located within the East 11th Street NCCD may be developed and used in accordance with the regulations established for the applicable base zoning districts, and other applicable requirements of Title 25 of the City Code.

PART 6. Section VIII (*Modifications of the Land Development Code*) of the June 20, 1991 neighborhood plan attached as Exhibit "B" to the Original NCCD Ordinance is modified as shown in this Part.

A. 2. SUBDISTRICTS

Within this proposed East 11th Street NCCD, subdistricts shall be defined as follows (see Attachment 13. Note: this Attachment 13 is replaced by Exhibit "B"- (the NCCD Subdistricts) attached to this ordinance):

Subdistrict 1: Generally sites oriented to East 11th Street and Rosewood Avenue, excluding Block 16 as identified in Subdistrict 4 of this Subsection 2, and sites with direct access to Interstate Highway 35.

Subdistrict 2: Generally sites not oriented or having direct access to East 11th Street, Rosewood Avenue or Interstate Highway, excluding Block 16 as identified in Subdistrict 4 of this Subsection 2.

Subdistrict 3: Sites oriented toward or having direct access to Interstate Highway 35.

Subdistrict 4: Generally identified as Block 16, being the 900 block of East 11th Street bounded by East 11th Street on the south, Juniper Street on the north, Branch Street on the west and Curve Street on the east, excluding 900, 904, 908 and 912 East 11th Street and 901 Juniper Street.

B. 3. PARKING

- a. Existing structures being remodeled or repaired for the same use shall be exempt from providing additional parking under the current non-complying provisions of the LDC. Additional parking shall only be required for the expansion of floor area, or changes in the use of existing floor area. The required additional parking shall be provided on-site to the extent that it is available. Assuming there is not sufficient land area to provide the required additional parking on-site, the owner of the use shall be permitted to enter into a parking agreement for the necessary off-site remote parking. The agreement shall be made with either the manager of a public parking space(s), or privately owned and improved parking spaces. In any case, the combined number of off-site remote spaces, and

off-street parking spaces provided on-site shall not be less than 80% of ordinance requirements.

- b. All community parking facilities available for a use located within the District shall also be located within the District. As mentioned earlier, two sites along East 11th Street have been acquired for off-site accessory parking, and others are being considered at this time. Public and private funds will be used to acquire and construct these off-site parking facilities. One of the objectives of this NCCD is to limit the amount of vehicular traffic on East 11th Street and to encourage pedestrian traffic.
- c. Phase out on-street parking on East 11th Street and Rosewood Avenue as new developments and parking associated and pledged to the development becomes available.
- d. There shall be visual screening of open parking garages along residential street frontages. Methods of screening shall include landscaping, masonry walls, decorative fencing, or other architectural or landscape features.
- e. Sites developed exclusively for enclosed parking garages adjacent to East 11th Street and Rosewood Avenue having more than one level, must provide commercially leasable space at the street level.
- f. Off-street parking requirements shall be based on the lesser of 80% of that required by the appropriate schedule in the LDC or as calculated by existing shared parking provisions of the current LDC.
- g. No designated off-street loading space shall be required for a project located within Subdistricts 1 and 2, unless there is sufficient area available on-site. Loading and unloading shall be permitted from an adjacent alley or from anywhere within the project's parking area. Projects which are not able to provide an off-street loading area on-site shall be required to restrict any such activity to off-peak hours.
- h. The off-street parking requirements may be based on either the 20% parking deduction described in (a) or (f) of this Parking Section 3, but not both.

C. 5. PERMITTED USES

- a. Subdistrict 1 (Attachment 14)
- b. Subdistrict 2 (Attachment 15)
- c. Subdistrict 3 (Attachment 16)
- d. Those properties which are located within the Kealing and Blackshear Urban Renewal Plans shall be restricted to the uses designated within those plans. Any proposed use which is inconsistent with the permitted uses of those Urban Renewal Plans shall require an amendment to the applicable Urban Renewal Plan prior to site plan approval.
- e. Subdistrict 4. (All permitted and conditional uses shown on Attachment 15 as modified in this subsection).
The restriction on the number of units allowed under multifamily residential is deleted.

D. 6. SITE DEVELOPMENT REGULATIONS. A new Subsection (d) for Subdistrict 4 is added to this Section 6 as follows:

d. Subdistrict 4:

Site Standards

- (1) Minimum Lot Area: None
- (2) Minimum Lot Width: 25 feet
- (3) Minimum Setbacks:
 - Front Yard (along E. 11th Street): None
 - Front Yard (along Juniper Street): 15 feet
 - Street Side Yard: 10 feet
 - Interior Side Yard: 5 feet
 - Rear Yard: 5 feet
- (4) Maximum Impervious Cover: 90% (New construction)
100% (Existing structures)
- (5) Maximum Building coverage: 80% (New construction)
100% (Existing structures, remodeling and new construction or additions which are less than the square footage of the existing structures). New structures not replacing existing structures which are not built to the front property line are required to provide a five (5) foot

easement for public access on the front property line.

(6) When existing structures are maintained, existing setbacks do not require a waiver of compatibility standards. However, all new projects within the district shall comply with the compatibility stands set forth in this NCCD document.

E. 7. BUILDING INTENSITY. A new Subsection (d) for Subdistrict 4 is added to this Section 7 as follows:

d. Subdistrict 4: The maximum floor to area ratio (F.A.R.) is 1.6 to 1.0.

F. 8. HEIGHTS. A new Subsection (d) for Subdistrict 4 is added to this Section 8 as follows:

d. Subdistrict 4:

On the portion of Subdistrict 4 that was originally Subdistrict 1, the maximum height of a building or portion of a building is 60 feet.

On the portion of Subdistrict 4 that was originally Subdistrict 2, the maximum height of a building or portion of a building is 40 feet.

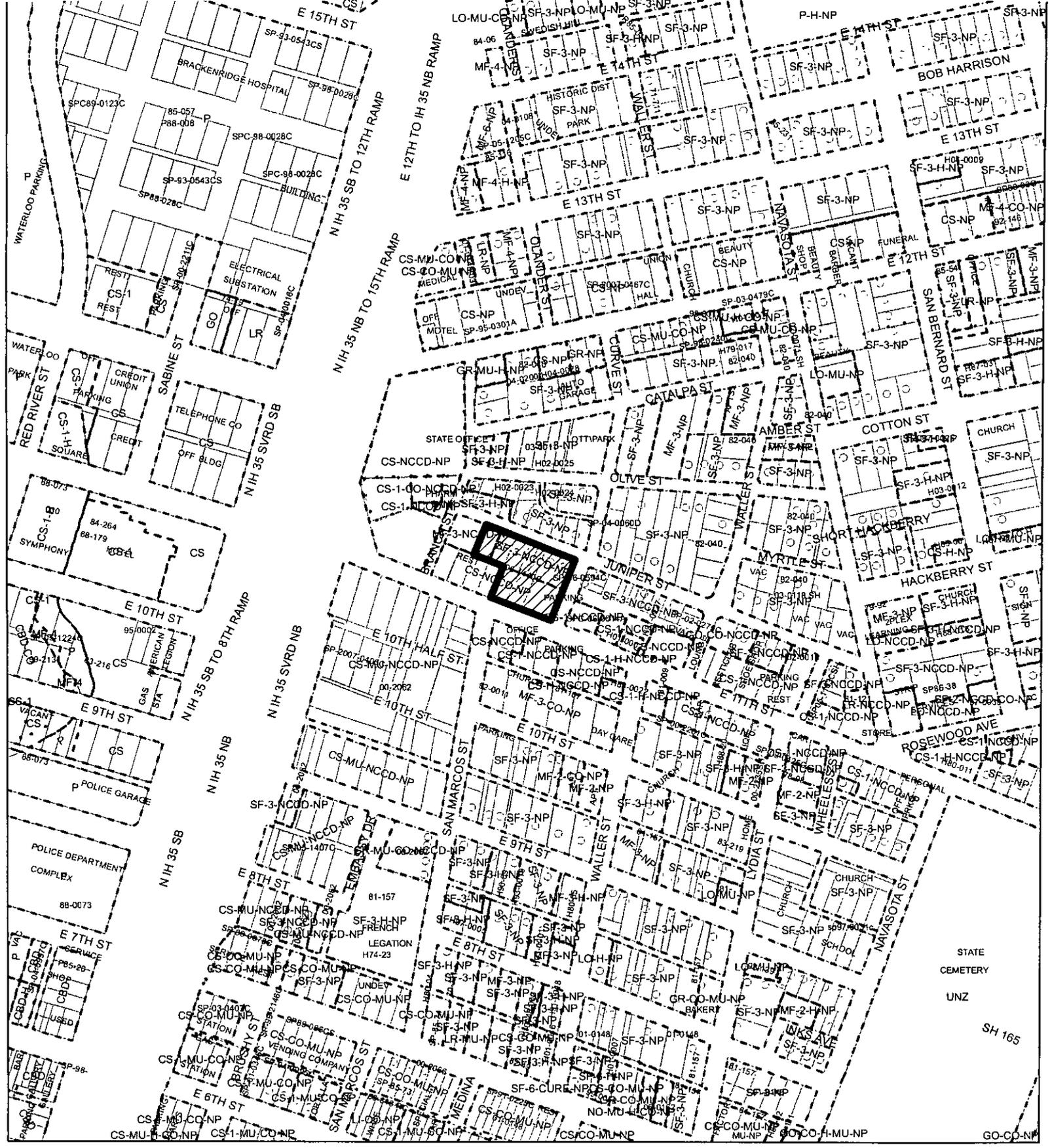
PART 7. Except as otherwise specifically provided by this ordinance, the property including Block 16 is subject to Ordinance No. 910620-C that established the East 11th Street neighborhood conservation (NCCD) combining district and Ordinance No. 011213-041 that established the Central East Austin neighborhood plan (NP) combining district. To the extent of conflict between the two ordinances, the use and site development regulations applicable to the East 11th Street neighborhood conservation (NCCD) combining district supersede.

PART 8. This ordinance takes effect on December 22, 2008.

PASSED AND APPROVED

December 11, 2008 §
 §
 § Will Wynn
 Will Wynn
 Mayor

APPROVED: David Allan Smith **ATTEST:** Gvonne Spence for
 David Allan Smith Shirley A. Gentry
 City Attorney City Clerk



ZONING EXHIBIT A

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

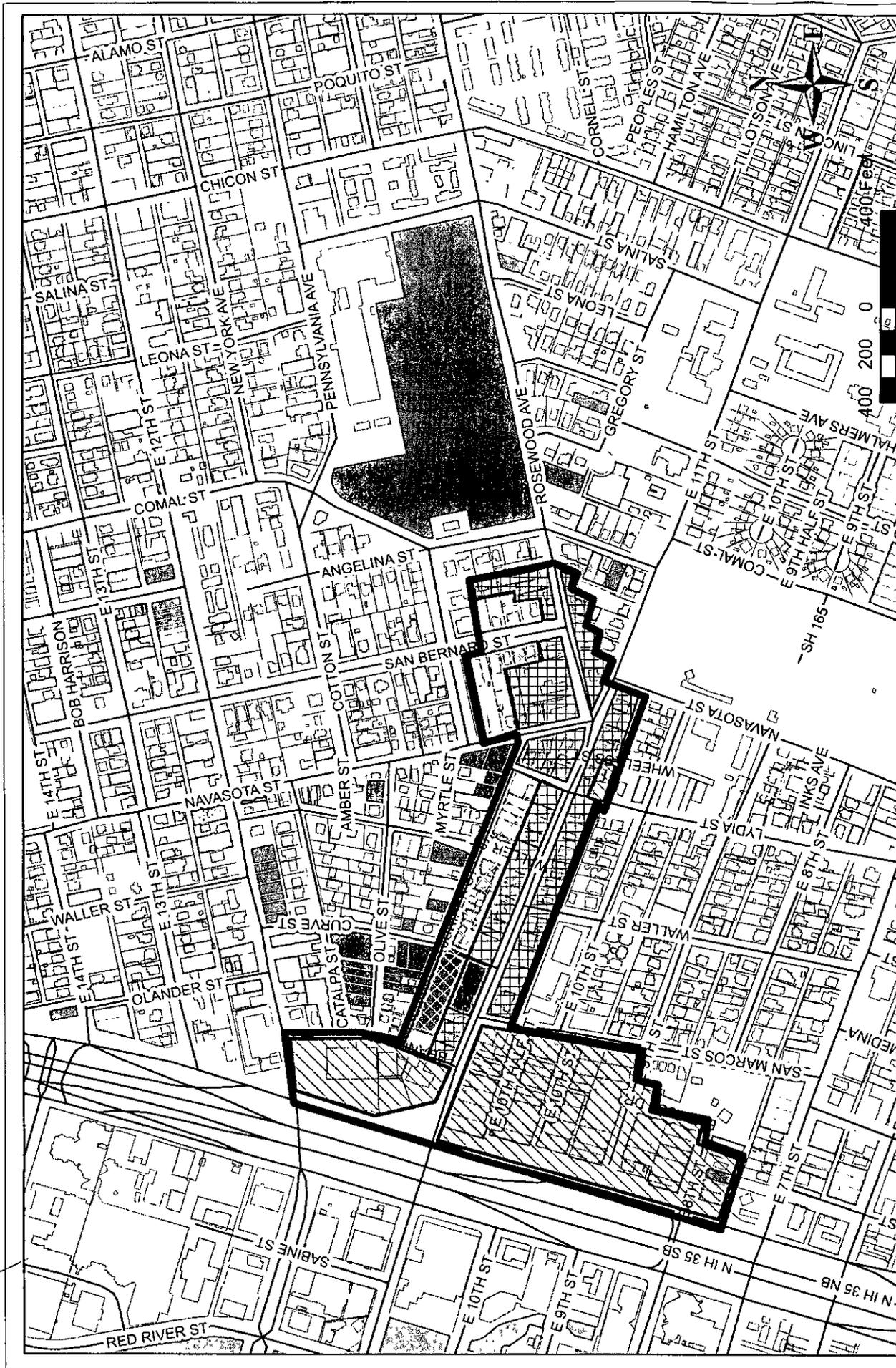
ZONING CASE#: C14-2008-0156
 ADDRESS: E 11TH ST
 SUBJECT AREA: 0.000 ACRES
 GRID: J22
 MANAGER: J. HARDEN

OPERATOR: S. MEEKS



1" = 400'

This map has been produced by GIS Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



East 11th Street NCCD

NHCD August 2008

EXHIBIT B



Sub District 1



Sub District 2



Sub District 3



Sub District 4